

**MINUTES OF THE
ADMINISTRATIVE RULES REVIEW COMMITTEE**
Thursday, July 26, 2007 – 2:00 p.m. – Room W135 House Building

Members Present:

Sen. Howard A. Stephenson, Senate Chair
Rep. Ben C. Ferry, House Chair
Sen. Mark B. Madsen
Sen. Michael G. Waddoups
Rep. Kory M. Holdaway
Rep. Carol Spackman Moss
Rep. Merlynn T. Newbold

Members Excused:

Sen. Mike Dmitrich
Sen. Ed Mayne
Rep. James R. Gowans

Staff Present:

Mr. Arthur L. Hunsaker, Policy Analyst
Ms. Susan Creager Allred, Associate General Counsel
Ms. Tracey Fredman, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Ferry called the meeting to order at 2:16 p.m.

MOTION: Rep. Newbold moved to approve the minutes of the July 16, 2007 meeting. The motion passed unanimously. Rep. Moss was absent for the vote.

2. Need for Rules Governing Clean Fuel Vehicles in HOV Lanes

Ms. Linda Hull, Director, Legislative and Governmental Affairs, Department of Transportation, said that usage of HOV lanes and any exemptions are controlled by federal guidelines. Ms. Hull explained that due to changes in federal regulations, our state law is no longer in compliance, and that a rule could be drafted to fix the problem by the end of the year. She also presented recommendations for statutory changes.

Mr. Brad Simpson, Director, Division of Motor Vehicles, responded to questions about the clean fuel plates that currently allow drivers access to the HOV lanes in the state.

3. R414-60B Preferred Drug List

Dr. David Sundwall, Executive Director, Department of Health, said being granted the authority to implement a preferred drug list by the Legislature will save money and promote appropriate medical care.

Mr. Michael Hales, Director, Division of Health Care Financing, Department of Health, distributed and reviewed "R414-60B Preferred Drug List – Chronology" and responded to questions from the Committee.

Staff distributed 2007 General Session S.B. 42, "Preferred Prescription Drug List" and "Medicaid Pharmacy Program."

Mr. Ken Hansen, Director, Division of Administrative Rules, spoke to the issue.

Rep. Rebecca D. Lockhart, raised some issues and suggested that clarifications be made before implementing the rule.

Mr. Doug Springmeyer, Assistant Attorney General, responded to questions from Rep. Lockhart and the Committee.

Mr. Mark Brinton, General Counsel, Utah Medical Association, spoke in support of the rule.

Mr. David Stewart, Pharmaceutical Research and Manufacturers of America, spoke to the issue.

The Committee agreed to discuss this issue again in a future meeting.

4. Update: Student Eligibility to Participate in Activities

Mr. Larry Shumway, Utah State Office of Education, commented on "Proposed amendments to the UHSAA Constitution, By-laws, and Interpretations," as distributed by committee staff.

5. Committee Business /Adjourn

Future meetings were scheduled for Monday, August 13, 2007 at 9 a.m. and August 28, 2007 at 2 p.m.

MOTION: Sen. Madsen moved to adjourn the meeting. The motion passed unanimously.

Chair Ferry adjourned the meeting at 4:16 p.m.